

CHAPTER 78.

[H. B. 249.]

ORGANIZED BASEBALL—CONTRACTS WITH
MINOR PERSONS.

AN ACT for the protection of certain minors who contract with persons engaged in or promoting the interest of organized professional baseball, and providing penalties for violations thereof.

Be it enacted by the Legislature of the State of Washington:

Declaration
of intent.

SECTION 1. The welfare of the children of this state is of paramount interest to the people of the state. It is the purpose of this act to foster the education of minors and to protect their moral and physical well-being. Organized professional baseball has in numerous cases induced minors to enter into contracts and agreements which have been unfair and injurious to them.

Definitions.

SEC. 2. As used in this act the following terms shall have the following meanings:

"Minor."

(1) "Minor" shall mean any person under the age of eighteen years, and who has not graduated from high school: *Provided*, That should he become eighteen during his senior year he shall be a minor until the end of the school year;

"Contract."

(2) "Contract" shall mean any contract, agreement, bonus or gratuity arrangement, whether oral or written;

"Organized
professional
baseball."

(3) "Organized professional baseball" shall mean and include all persons, firms, corporations, associations, or teams or clubs, or agents thereof, engaged in professional baseball, or in promoting the interest of professional baseball, or sponsoring or managing other persons, firms, corporations, associations, teams, or clubs who play baseball in any of the major or minor professional baseball leagues, or any such league hereafter organized;

(4) "Agent" shall, in addition to its generally accepted legal meaning, mean and include those persons commonly known as "baseball scouts";

"Agent."

(5) "Prosecuting attorney" shall mean the prosecuting attorney, or his regular deputy, of the county in which the minor's parent is domiciled;

"Prosecuting attorney."

(6) "Parent" shall mean parent, parents or guardian.

"Parent."

SEC. 3. Any contract between organized professional baseball and a minor shall be null and void and contrary to the public policy of the state, unless and until such contract be approved as hereinafter provided.

Contracts null and void.

SEC. 4. No contract within this act shall be null and void, nor shall any of the prohibitions or penalties provided in this act be applicable if such contract be first approved in writing by the prosecuting attorney. Such approval may be sought jointly, or at the request of either party seeking a contract.

Where contract approved.

SEC. 5. The prosecuting attorney shall have the authority to examine all the parties to the proposed contract and any other interested person and shall approve such contract if the following facts and circumstances are found to exist:

Prosecuting attorney to approve, when.

(1) That the minor has not been signed, approached, or contacted, directly or indirectly, pertaining to a professional baseball contract except as herein permitted by approval of the prosecuting attorney;

Minor not signed.

(2) That the minor has been apprised of the fact that approval of the contract may deprive him of his amateur status;

Amateur status.

(3) That the parent of the minor and the minor have consented to the contract;

Parent's consent.

(4) That the prosecuting attorney has concluded that the contract conforms to the provisions of this act, and is a valid and binding contract;

Prosecutor's approval.

Minor's education.

(5) That the contract permits the minor to have at least five months available each year to continue his high school education.

Effect of non-approval.

SEC. 6. Should the prosecuting attorney not approve the contract as above provided, then such contract shall be void, and the status of the minor shall remain as if no contract had been made, unless the prosecuting attorney's determination be the result of arbitrary or capricious action.

Inducing evasion of law prohibited.

SEC. 7. No representative of organized professional baseball nor agent, nor person purporting to be able to represent any institution in organized baseball, whether so authorized to represent such institution or not, shall initiate or participate in any negotiations which would induce an evasion of this law in any way, including the removal of any minor to another state, or violate the minor's high school athletic eligibility.

Violation gross misdemeanor.

SEC. 8. Any person, firm, corporation, association, or agent thereof, who enters into a contract with a minor, or gives a bonus or any gratuity to any minor to secure the minor's promise to enter into a contract in violation of the provisions of this act, or shall otherwise violate any provisions of this act, shall be guilty of a gross misdemeanor.

Emergency.

SEC. 9. If any portion, section, or clause of this act, shall be declared or found invalid by any court of competent jurisdiction, such adjudication shall not affect the remainder of this act.

Passed the House February 16, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.